

State of South Dakota

EIGHTIETH SESSION
LEGISLATIVE ASSEMBLY, 2005

668L0497

SENATE EDUCATION COMMITTEE ENGROSSED NO. **SB 158** - 02/08/2005

Introduced by: Senators Olson (Ed), Adelstein, Bartling, Duniphan, and Koetzle and
Representatives Buckingham, Dykstra, Haverly, Klaudt, Michels, Murschel,
and Roberts

1 FOR AN ACT ENTITLED, An Act to provide for the certification of distance learning
2 providers and to establish a distance learning grant program for students.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. Terms in this Act mean:

5 (1) "Distance learning," the technology and educational process used to provide
6 instruction when the student and primary instructor are not physically present at the
7 same time or place;

8 (2) "Distance learning provider," a school or organization that provides distance learning
9 courses.

10 Section 2. No distance learning provider may provide courses through distance learning to
11 any student in an accredited elementary or secondary school in this state unless the distance
12 learning provider has a certificate issued by the secretary of the Department of Education
13 authorizing the distance learning provider to provide the courses.

14 Section 3. The South Dakota Board of Education shall promulgate rules pursuant to chapter



1 1-26 establishing the requirements and criteria that an applying entity must meet in order to be
2 issued a distance learning provider's certificate by the secretary of the Department of Education
3 authorizing the entity to provide courses through distance learning. The rules shall specify the
4 duration and the method of renewal, the amount of the fee, not to exceed one hundred dollars,
5 for issuing the certificate, the application procedures for certificates, the requirements for
6 certification, and other procedures necessary for the administration of distance learning provider
7 certification.

8 Section 4. There is hereby created in the Department of Education the Distance Learning
9 Grant Program. Beginning in state fiscal year 2008, the Department of Education shall, from any
10 funds appropriated by the Legislature for that purpose, award Distance Learning Grants to
11 certain students to assist them in paying for the distance learning courses in which they enroll.

12 Section 5. The secretary of the Department of Education shall approve vouchers and the
13 state auditor shall draw warrants to pay expenditures authorized by this Act.

14 Section 6. The Board of Education shall promulgate rules pursuant to chapter 1-26 to
15 establish grant eligibility, application procedures, and criteria for selecting grant recipients. In
16 order to be eligible for a grant, a student must be enrolled in at least one distance learning course
17 offered by a distance learning provider that is certified pursuant to this Act.